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6 Attorney for Defendant
ELVIN J. MIRZAYEV
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 ELVIN J. MIRZAYEV,

15 Defendant.
16

Case No. 5:21-po-00662-SAB-1

STIPULATION TO VACATE BENCH TRIAL
AND SET FOR CHANGE-OF-PLEA AND
SENTENCING; ORDER

Date: May 3, 2022

Time: 10:00 a.m.

Judge: Hon. Stanley A. Boone

17 **IT IS HEREBY STIPULATED** by and between the parties through their respective
18 counsel, Assistant United States Attorney Jeffrey Spivak, counsel for the plaintiff, and Assistant
19 Federal Defender Erin Snider, counsel for defendant Elvin J. Mirzayev, that the Court may
20 vacate the bench trial currently scheduled for May 3, 2022, at 10:00 a.m. and instead set the
21 matter for a change-of-plea and sentencing hearing on May 3, 2022, at 10:00 a.m. The parties
22 have reached a plea agreement, pursuant to which the parties will jointly recommend a \$230 fine
23 and 12 months of unsupervised probation. As part of the plea agreement, Mr. Mirzayev will
24 waive his right to appeal.

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Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: April 28, 2022

/s/ Jeffrey Spivak
JEFFREY SPIVAK
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: April 28, 2022

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
ELVIN MIRZAYEV

ORDER

IT IS SO ORDERED. The Court vacates the bench trial scheduled for May 3, 2022, at 10:00 a.m. The Court schedules a change-of-plea and sentencing hearing for May 3, 2022, at 10:00 a.m. The defendant is ordered to appear.

IT IS SO ORDERED.

Dated: **April 28, 2022**


UNITED STATES MAGISTRATE JUDGE